UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/333
S/1995/659
7 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 8 of the provisional agenda*
ADOPTION OF THE AGENDA AND
ORGANIZATION OF WORK

SECURITY COUNCIL
Fiftieth year

Letter dated 2 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I would like to draw your attention to documents S/1995/591, A/50/302-S/1995/594, S/1995/613 and S/1995/632, containing letters dated 18 July 1995, 21 July 1995, 24 July 1995 and 31 July 1995, respectively, signed "Bratislav Djordjevic, Minister Plenipotentiary, Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations".

My Government is surprised that the above letters have been accepted for publication as documents of the United Nations. Mr. Djordjevic is not a person representing a State Member of the United Nations and thus has no authority to request the publication of documents.

The designation of "Yugoslavia" as a State within the framework of the United Nations can only be interpreted by us as relating to the former Socialist Federal Republic of Yugoslavia, a State that was a founding member of the United Nations, and a State whose process of dissolution into five successor States was initiated on 8 October 1991 and terminated on 29 April 1992. The Republic of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia and the Republic of Slovenia are all equal successors to the former Socialist Federal Republic of Yugoslavia, along with the remaining republics of Serbia and Montenegro, that have formed a federal State which they call the Federal Republic of Yugoslavia.

* A/50/150.

The relevant resolutions of the Security Council (777 (1992) and 821 (1993)), and of the General Assembly (47/1), have stated clearly and unequivocally that the "State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist", that "the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia", and that "the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations". Since the "Federal Republic of Yugoslavia (Serbia and Montenegro)" has not yet applied for membership in the Organization, it can only be concluded that it is not a Member State.

We wish to recall that Mr. Dragomir Djokić, Chargé d'affaires of the Permanent Mission of Yugoslavia to the United Nations, was appointed by then Acting Federal Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia Mr. Milivoje Maksic on 31 March 1992 - during the period of dissolution of the former common State.

Although the former Socialist Federal Republic of Yugoslavia has ceased to exist, it has been allowed to continue to perform some of the functions of a United Nations Member State, and its flag still flies the mast of the United Nations. In the light of this situation, until Serbia and Montenegro are admitted to membership in the United Nations, Mr. Djokić is being allowed to act as a representative of "Yugoslavia" within the United Nations system, since he was appointed at a time when the Socialist Federal Republic of Yugoslavia still existed as a State, by a then legitimate representative of that State. However, Mr. Djordjevic cannot be considered as a representative of any "Yugoslavia", since he was appointed by the Minister for Foreign Affairs of a country that is not a State Member of the United Nations.

We therefore request that the above documents be withdrawn from circulation, and a corrigendum to that effect be issued.

I would kindly request your assistance in circulating this letter as a document of the fiftieth session of the General Assembly, under item 8 of the provisional agenda, and of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'affaires of the
Permanent Mission of the
Republic of Croatia
to the United Nations

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General Assembly
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Distr.
GENERAL

A/50/334
S/1995/661
7 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 8 of the provisional agenda*
ADOPTION OF THE AGENDA AND
ORGANIZATION OF WORK

SECURITY COUNCIL
Fiftieth year

Letter dated 4 August 1995 from the Permanent Representative of Slovenia to the United Nations addressed to the Secretary-General

It was with considerable surprise that we saw several documents of the Security Council signed by Mr. Bratislav Djordjević as "Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations".

As you will recall, the Security Council and the General Assembly stated, back in September 1992, that the former Socialist Federal Republic of Yugoslavia had ceased to exist and that the "Federal Republic of Yugoslavia (Serbia and Montenegro)" should apply for membership in the United Nations.

Almost three years have passed since the adoption of the basic Security Council and General Assembly decisions on this matter. Subsequent practice has been characterized by ad hoc arrangements that sought to assist the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to apply for membership in the United Nations. As you know, this has not been done to date. Instead, we are witnessing repeated attempts by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to present itself as a State continuing the United Nations membership of the former Socialist Federal Republic of Yugoslavia that had ceased to exist. The case of the mentioned "Chargé d'affaires" belongs to this category.

This absurd situation, which is highlighted by continuing operation of a "permanent mission" of a defunct State and by the circulation of documents signed by representatives of a non-member State, must be brought to an end. An

* A/50/150.

arrangement that looked like a flexible short-term compromise three years ago has become an element of diminished credibility of the United Nations. Perpetuating disregard of the norms governing the admission of new Members to the United Nations would further diminish its credibility.

I therefore respectfully suggest that you initiate consideration of this matter by the Security Council, in accordance with the agreement by the members of the Council referred to in document S/26466 of 17 September 1993, and propose specific measures to eliminate the current irregularities.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under item 8 of the provisional agenda, and of the Security Council.

(Signed) Danilo TÜRK
Permanent Representative

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General Assembly
Security Council

Distr.
GENERAL

A/50/335
S/1995/662
7 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 28 of the provisional agenda*
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 6 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to present to you the annexed letter, dated today, from my Minister for Foreign Affairs to you.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under item 28 of the provisional agenda, and of the Security Council.

(Signed) Ivan Z. MISIC
Ambassador
Chargé d'affaires

* A/50/150.

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ANNEX

Letter dated 6 August 1995 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the Secretary-General

It is reported that as many as 120,000 residents from the former Serb-occupied territories of Croatia are crossing into the Republic of Bosnia and Herzegovina, some with the assistance of United Nations authorities.

It must be stressed that some of those crossing into our Republic belong to Martic's paramilitary forces and remain armed. Given events following the liberation of Western Slavonia, a new influx of Serb paramilitaries into the Republic of Bosnia and Herzegovina poses a larger threat to non-Serb communities in Serb-occupied Bosnia and significantly contributes to the deterioration of the situation here.

The Government of the Republic of Bosnia and Herzegovina supports United Nations action that provides for the welfare of those affected by war. It is precisely for this reason that we cannot accept the settlement of these people in our Republic, as our Government is unable to provide them with adequate assistance. Furthermore, the Government of the Republic of Croatia has guaranteed the residents of the former Serb-occupied territories full security and humanitarian necessities, consistent with Croatia's desire to reintegrate these territories with the maximum respect for human and civil rights.

In accordance with our sovereignty and territorial integrity, and keeping in mind the instability brought on by influxes of Serb paramilitary forces into Bosnia, we insist that the United Nations authorities cooperate with Croatian authorities in securing the welfare of all residents in the former Serb-occupied territories.

(Signed) Muhamed SACIRBEY
Minister

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GENERAL

A/50/336
S/1995/663
7 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 81 of the provisional agenda*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 6 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement of the Federal Government of the Federal Republic of Yugoslavia dated 6 August 1995 (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 81 of the provisional agenda, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/50/150.

ANNEX

The Federal Government has noted that, despite strong condemnations by numerous countries and international forums, Croatia continues its ruthless and brutal aggression against the Republic of Serbian Krajina unperturbed. The towns and other settlements in the territory under attack are being ruthlessly shelled and bombarded, which brings enormous human losses and destruction in its train. The fact that the aggressor army shells and strafes long columns of fleeing people is the bloodiest confirmation of one of the primary goals of the aggression - causing considerable losses among civilian population and its expulsion from the territory of the Republic of Serbian Krajina.

The Federal Government expresses its concern over the ever-more-frequent and convincing information that some of the big Powers, members of the Security Council, aid and abet the aggression of Croatia and prevent the adoption of a decision by the Security Council on stopping the aggression. By such attitude, some international factors are becoming accessory to the ethnic cleansing of the Serbian people from the territory of the Republic of Serbian Krajina.

The Federal Government expresses its profound dissatisfaction at the inefficiency of the international community in stopping the aggression of Croatia, which may lead to undesirable political, security and humanitarian consequences in the region and beyond.

The Federal Government expects and demands that, proceeding from Chapter VII of the Charter of the United Nations, the international community, and the Security Council in particular, take immediate and resolute measures to put an end to the aggression and the killing of the innocent civilian population and the prevention of ethnic cleansing and to see to it that Croatian armed forces withdraw to the separation lines established by the relevant resolutions of the Security Council.

The Federal Government reiterates that a peaceful solution through negotiation and political agreement is the only way of solving the overall Yugoslav crisis, including the situation created by the aggression of Croatia against the Republic of Serbian Krajina.

Bearing in mind the reaction of the most important international factors, inappropriate to the nature and size of the aggression, the Federal Government has charged the competent authorities with the task of intensifying political, diplomatic and informative activities aimed at having adequate decisions brought by the international community and at fully informing it of the policy of Croatia which constitutes the greatest danger for peace and security in the Balkans.

The Federal Government accorded special attention to the dramatic humanitarian situation. The exodus of tens of thousands of refugees, of the exhausted and old people, of women and children, calls for taking energetic and urgent measures by the Committee of the Federal Government for collecting humanitarian assistance. The Committee of the Federal Government will ensure continued cooperation with all important international humanitarian

organizations, particularly with the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross. Some, but insufficient, part of humanitarian assistance has already been dispatched to the affected area. In order to ensure a regular dispatch of the assistance, the Security Council Sanctions Committee is expected to consent to humanitarian flights to the Banja Luka airport. The Federal and Republican Governments, together with the Republican Commissariats for Refugees and the Federal and Republican organizations of the Red Cross, will invest maximum efforts in collecting and dispatching humanitarian assistance to refugees from the Republic of Serbian Krajina, the accommodation and care of which is concentrated in Banja Luka, as well as in dispatching assistance to individual refugee columns.

The Federal Government has established a round-a-clock service in order to satisfy the humanitarian needs of refugees from the Republic of Serbian Krajina in a most effective way.

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/337
S/1995/664
7 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 28 of the provisional agenda*
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 7 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to present to you the annexed letter, dated today, from my Minister for Foreign Affairs to you.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under item 28 of the provisional agenda, and of the Security Council.

(Signed) Ivan Z. MISIC
Ambassador
Chargé d'affaires

* A/50/150.

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ANNEX

Letter dated 7 August 1995 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the Secretary-General

Pursuant to the concerns raised in my letter of 6 August to you (see A/50/335-S/1995/662, annex), we must express our reservations resulting from the "agreement between the Government of the Republic of Croatia and the United Nations Peace Forces (UNPF)-United Nations Confidence Restoration Operation (UNCRO) on temporary measures in the areas formerly known as 'Sector North' and 'Sector South'" (see S/1995/666, annex III). While this agreement is meant to alleviate the hardships of the residents leaving the former Serb-occupied areas of Croatia, it should be noted that any such agreement should be consistent with Bosnia and Herzegovina's territorial integrity and sovereignty and consent.

Most unfortunately, this agreement has facilitated a movement of armed and unarmed Serb paramilitaries into Bosnia and Herzegovina. Furthermore, the Belgrade regime, transgressing against humanitarian norms, has closed its border to all men of fighting age who recently left the former Serb-occupied parts of Croatia, instead leaving them to the disposal of Karadzic's authorities and military commanders. While the movement of armed Serb paramilitaries into Bosnia and Herzegovina manifests an immediate danger to government loyal communities, the movement of unarmed Serb paramilitaries is an imminent danger as they will be armed by Karadzic's authorities. These events not only betray international law, but present a new deterioration by inflating those forces waging genocidal war and aggression against the remaining safe areas and free territories of Bosnia and Herzegovina.

Again, we express support for United Nations action that provides for the welfare of those affected by war. However, any agreement regarding the territory of the Republic of Bosnia and Herzegovina must have the consent of our Government. We cannot accept a disregard for our nation's sovereignty and territorial integrity.

We request that when activities resulting from the agreement take place on our territory, representatives of the Government of the Republic of Bosnia and Herzegovina be present, including at border crossing, processing and transportation points, as well as aid distribution centres.

We demand that the Office of the United Nations High Commissioner for Refugees (UNHCR) list all those residents crossing into the Republic of Bosnia and Herzegovina from the former Serb-occupied territories of the Republic of Croatia, not only in respect of our sovereignty, but better to facilitate the resettlement of these persons in Croatia or other destinations as chosen by their own free will.

(Signed) Muhamed SACIRBEY
Minister

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Distr.
GENERAL

A/50/338
8 August 1995
ENGLISH
ORIGINAL: CHINESE

Fiftieth session
Item 53 of the provisional agenda*

IMPLEMENTATION OF THE RESOLUTIONS OF THE UNITED NATIONS

Letter dated 8 August 1995 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

On 10 July 1995, the Permanent Representatives of Nicaragua and Solomon Islands to the United Nations addressed a letter (A/49/951) to you in which they requested to have Lee Teng-hui's speech and Fredrick F. Chien's letter circulated as documents of the General Assembly. The Chinese Government and people express their utmost indignation at and strong opposition to this move, which constitutes a serious infringement upon the purposes and principles of the Charter of the United Nations, a violation of General Assembly resolution 2758 (XXVI) as well as a gross encroachment upon and interference in China's sovereignty and internal affairs.

As is known to all, there is but one China in the world, which is the People's Republic of China, and Taiwan is an inalienable part of China. Resolution 2758 (XXVI), adopted by the General Assembly at its twenty-sixth session in 1971, restored all the lawful seats and rights of the People's Republic of China in the United Nations and all its agencies and expelled the representatives of the Taiwan authorities, thus settling once and for all and in a just manner the question of China's representation in the United Nations politically, legally and procedurally. The General Committee of both the forty-eighth and forty-ninth sessions of the General Assembly decided not to include the question of the so-called "Taiwan's representation" in the agenda of the Assembly, which reflected the firm position of the general membership in safeguarding the sanctity of the Charter and the authority of the General Assembly resolution.

* A/50/150.

Lee Teng-hui's speech and Fredrick Chien's letter openly preach about splitting China and are a brazen attack on and a vicious attempt to overthrow resolution 2758 (XXVI). They constitute an affront to the authority of the General Assembly resolution and the dignity of the vast majority of Member States and are aimed at creating "two Chinas" and "one China, one Taiwan" in the United Nations. After requesting the inclusion of the so-called "Taiwan's representation in the United Nations" in the provisional agenda of the fiftieth session of the General Assembly, Nicaragua and Solomon Islands, in disregard of the firm opposition of the Chinese Government, are now further requesting official distribution of the two above-mentioned papers. This is a premeditated move to propagandize for Taiwan's creation of "two Chinas" and "one China, one Taiwan" and undermine the grand cause of China's reunification by taking advantage of this solemn forum of the United Nations. It is obviously not a move out of ignorance of history, but rather a move with ulterior motives.

The United Nations is an intergovernmental international organization composed of sovereign States. Article 4 of the United Nations Charter clearly stipulates that only sovereign States are entitled to become Members of the United Nations. Taiwan is a province of China. Therefore, the principle of "universality" is not applicable to it at all. Taiwan thus has no qualifications whatsoever to join the United Nations. The move by Nicaragua and Solomon Islands, which violates the Charter and the relevant resolution of the General Assembly, ignores both history and reality and goes against the historical tide and the will of the overwhelming majority of Members of the United Nations, is bound to meet with opposition from most Member States.

I have the honour to request you to have the present letter circulated as a document of the fiftieth session of the General Assembly under item 53 of the provisional agenda.

(Signed) QIN Huasun
Ambassador Extraordinary and Plenipotentiary
and Permanent Representative of the People's
Republic of China to the United Nations

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General Assembly
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Distr.
GENERAL

A/50/339
S/1995/667
8 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Items 39, 75 and 81 of
the provisional agenda*
LAW OF THE SEA
STRENGTHENING OF SECURITY
AND COOPERATION IN THE
MEDITERRANEAN REGION
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 7 August 1995 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

At the outset, I would like to make it very clear that the Permanent Mission of Turkey is not responsible for either the initiation or the continuation of this exchange of letters. However, this Mission will not refrain from responding to Greek allegations, as deemed necessary.

The letter from the Permanent Mission of Greece dated 20 July 1995 (A/50/303-S/1995/603) is devoid of any substance and factual argumentation.

The Turkish position is not threatening nor does it harbour any expansionist views. In our two previous letters, dated 21 June (A/50/256-S/1995/505) and 12 July (A/50/279-S/1995/568), we have reiterated that Turkey has no territorial ambitions and that she respects fully the territorial integrity of all her neighbours, including Greece. Now, we would like to invite Greece to announce that she does not harbour any territorial ambitions with regard to the so-called "lost homelands".

This may not be an easy task for the Government of Greece. The irredentist nature of the Greek foreign policy manifests itself in more than one way. To

* A/50/150.

give an example, the similarity between the "Memorandum on Greek Claims" submitted to the Government of the United States of America on 12 June 1942 by the Government of Greece and the current "Military Doctrine" of Greece aimed at "homelands of Hellenism" with reference to the classical ages, is most striking. In 1942, Greeks requested the extension of their boundaries in the north-east to the Rhodope Mountains and in the north-west to the Adriatic. In addition to the realignment of boundaries, the "questions" of Northern Epirus, the Dodecanese, Cyprus and Eastern Thrace were enumerated as issues that more directly concern Greeks. This mentality continues to present the principal threat not only to Turkey but also to peace and stability in the whole region.

On the issue of terrorism, there is ample evidence that the Kurdistan Workers Party, the "PKK", is supported by Greece, politically, morally, financially and logistically. From the dispositions of PKK militants apprehended in Istanbul and Izmir at the end of 1994 and the beginning of 1995, it is understood that terrorists have been trained in Greece and later sent to Turkey to stage violent attacks on tourist resorts. Furthermore, information available directly from the Greek press on the support given by prominent Greek parliamentarians to the PKK substantiates the "Greek connection".

In the past decade, some 5,000 civilians, mostly local women, children and old men, as well as teachers and members of health services, have fallen victim to terrorism in south-eastern Turkey. Greece has not expressed a single word of condemnation against this murderous campaign. On the contrary, she has chosen to employ this as a weapon against Turkey in her self-declared struggle against Ankara.

In order to be able to preach about democratic freedoms, Greece should first clear her own house from the shame of her treatment of the Turkish Muslim minority, the very existence of which is denied by the Greek authorities. Over the years, ethnic Turks have systematically been subjected to human rights abuses involving denials of civil and political rights, restrictions on freedom of movement and expression, interference with the free exercise of religion, denial of ethnic identity, degrading treatment and discrimination on the basis of ethnic origin. A case in point is the notorious article 19 of the Greek Citizenship Law, which stipulates that Greek nationals who are not of Greek ethnic origin may be stripped of their nationality by an administrative decree. The discriminatory attitude reflected by this article targeting the Turkish minority is indicative of Greece's policy towards its own citizens.

By refusing once again to engage in a process of meaningful dialogue, Greece offers self-declared evidence concerning which party is the source of tension in the Aegean. This Greek refusal stems from their expansionist approach towards the Aegean. In fact, Greeks claim territorial rights beyond their borders and then present these as non-negotiable rights. It is precisely due to this unacceptable approach that Greece refuses all forms of dialogue.

Notwithstanding the aforementioned, I would like to reiterate that the invitation extended by Turkey for a meaningful and constructive dialogue aimed at solving existing questions between the two countries still stands.

I would like to request that the present letter be circulated as a document of the General Assembly under items 39, 75 and 81 of the provisional agenda and of the Security Council.

(Signed) İnal BATU
Ambassador
Permanent Representative